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Siuslaw National Forest
Forest Service USDA



WILDERNESS SUITABILITY REPORT

U.S. Dept. of Agr. Forest Service

JAN 24 1975

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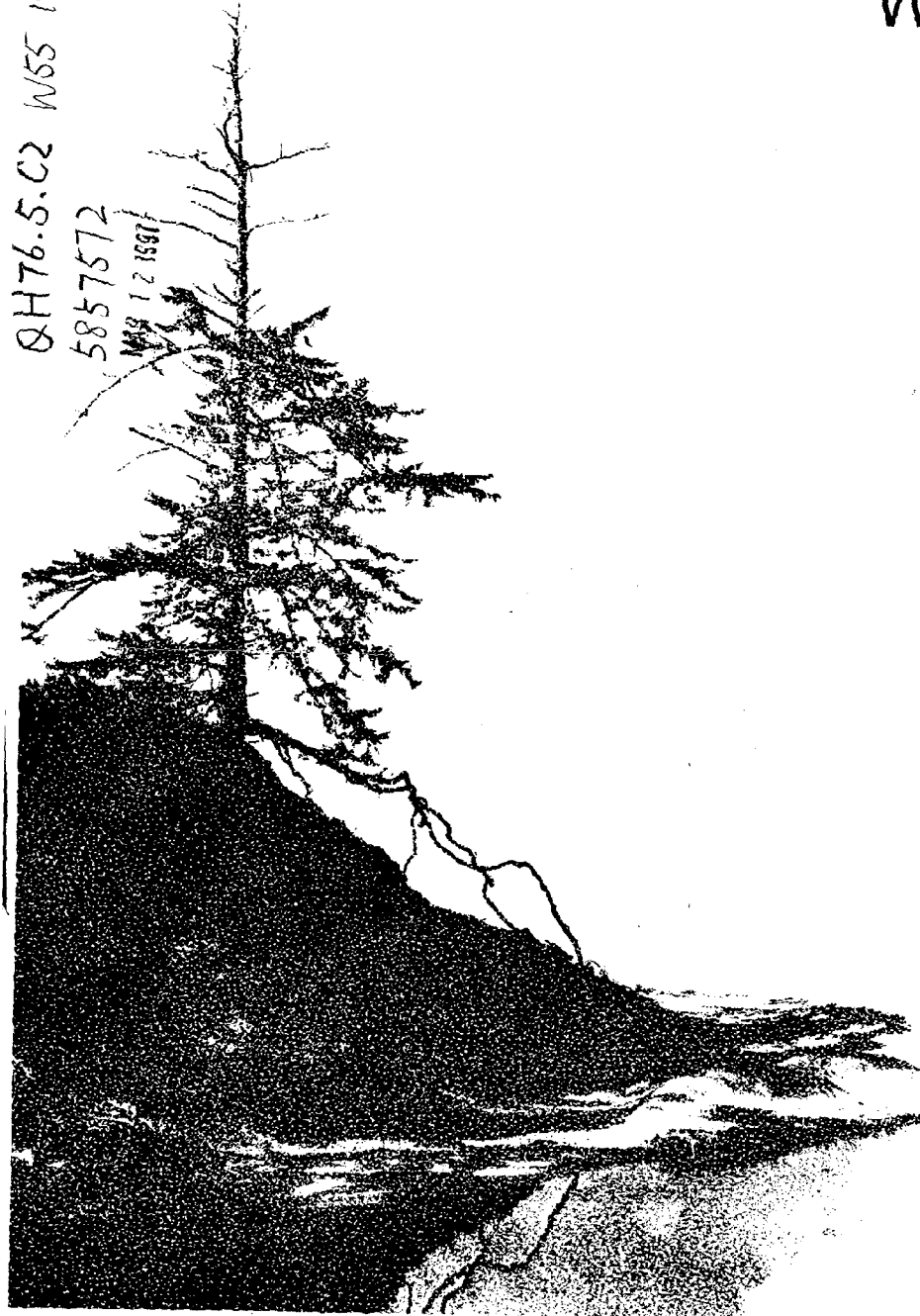
THE OREGON DUNES NATIONAL RECREATION AREA

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Wilderness Recommendation Oregon Dunes National Recreation Area Siuslaw National Forest Oregon

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... public outdoor recreation use and
enjoyment of ocean shorelines and dunes,
forested areas, freshwater lakes and
recreational facilities ...

United States Department of Agriculture

Forest Service

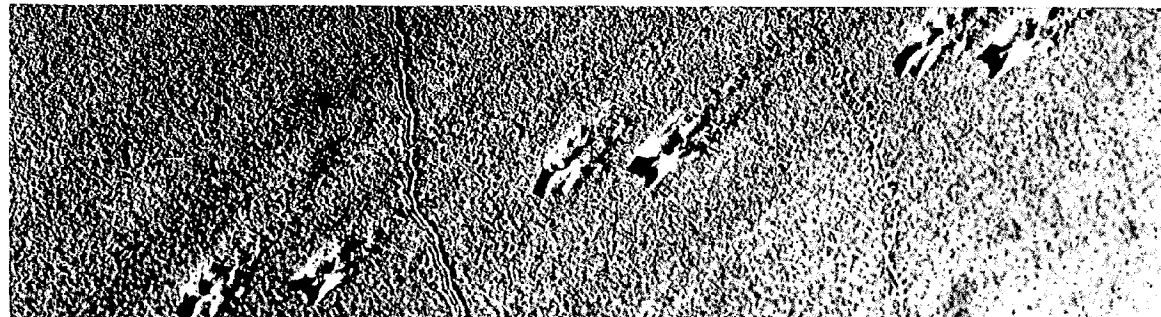
Introduction

This is a summary of a report and proposal which is a direct result of Public Law 92-260, of March 23, 1972, the Act establishing the Oregon Dunes National Recreation Area. Section 13 of that Act states:

"Within three years from the date of enactment of this Act, the Secretary shall review the area within the boundaries of the recreation area and shall report to the President, in accordance with subsection 3(b) and 3(d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(b) and (d), his recommendation as to the suitability or nonsuitability of any area within the recreation area for preservation as a Wilderness, and any designation of any such area as a Wilderness shall be accomplished in accordance with said subsection of the Wilderness Act."

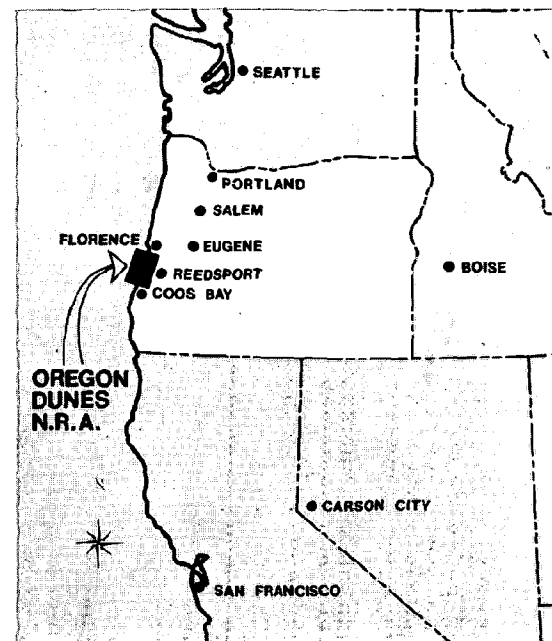
Section 2(c) of Public Law 88-577, the Wilderness Act, defines Wilderness as: "A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition, and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value."

All portions of the NRA were weighed against the criteria stated above to determine suitability or nonsuitability for wilderness.

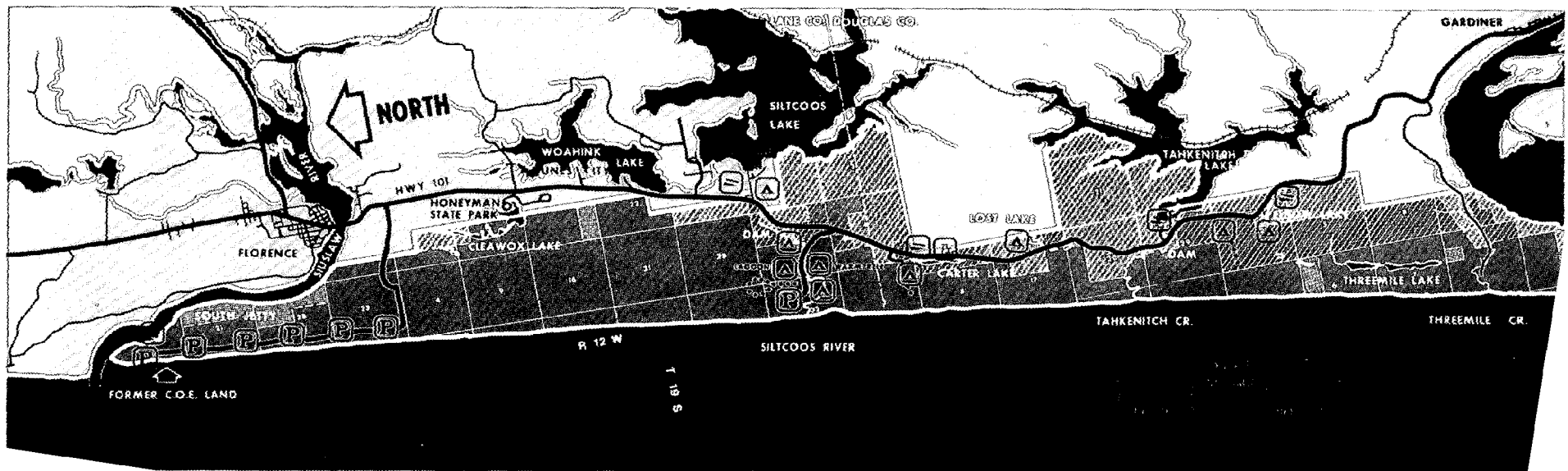
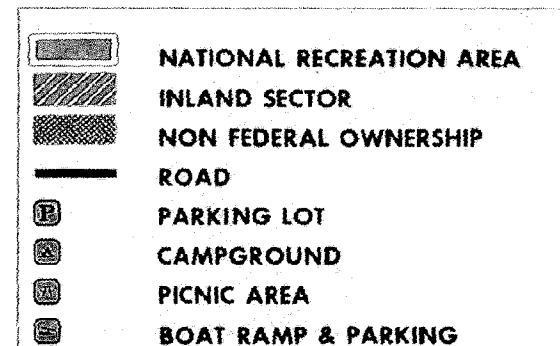


Proposal Summary

An analysis of all lands within the Oregon Dunes National Recreation Area has determined that no portion of the Area meets the requirements for wilderness as stated in Wilderness Act, P.L. 88-577. The Forest Service, therefore, proposes that the Secretary of Agriculture convey to the President the recommendation that no lands within the Recreation Area be designated as wilderness and added to the Wilderness Preservation System.



The National Recreation Area



The Oregon Dunes National Recreation Area (NRA) was established by Public Law 92-260 on March 23, 1972. It is a long, narrow strip of land located along the central Oregon Coast within the Siuslaw National Forest. It contains 32,186 acres, varies in width from less than 1/16 mile to 2-3/4 miles, and has 38-1/4 miles of ocean shoreline within its boundaries. The Recreation Area is approximately 150 miles southwest of Portland, Oregon.

The following table gives the acreage within the National Recreation Area as of July 1, 1974.

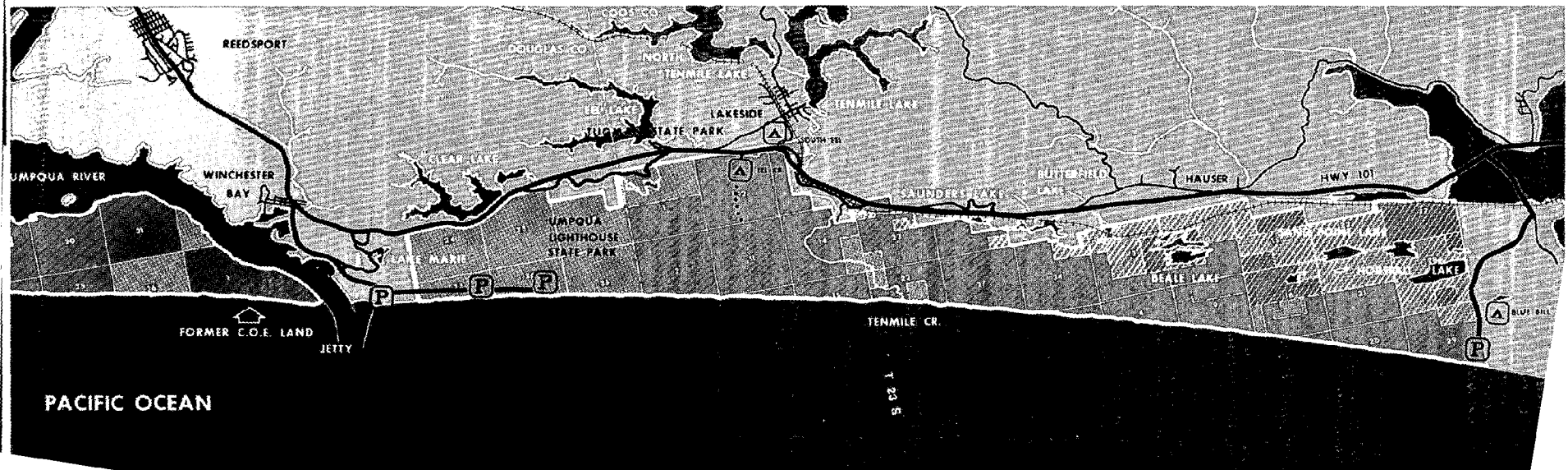
National					
Sector	Forest	State	County	Private	Total
Inland 1/	2,934	231	184	6,131	9,480
Dunes	18,617	2,922	523	644	22,706
TOTAL	21,551	3,153 2/	707	6,775	32,186

1/ Section 3, P.L. 92-260, defines "Inland Sector". All other land within the NRA is known as "Dunes Sector" (see appendix).

2/ Contains 589 acres of meandered water.

The active sand dunes of the NRA are one of the most important scenic features. Approximately one-third of the total area is open sand and is one of the largest areas of active coastal dunes in the world. Some of the dunes have reached a height of 300 feet. The large oblique dunes within the area, with lengths up to 5,000 feet are unique. These dunes seem to have no counterparts in other dune areas of the world, occurring only in the Coos Bay Dune Sheet of the Oregon Coast.

The ocean frontage of the NRA is also an important attraction. The beaches are broad and sandy, interrupted only by the mouths of a few rivers and streams. The Umpqua and Siuslaw are the major rivers. Siltcoos River, Tahkenitch, Threemile, and Tenmile Creeks are the minor streams. All of the rivers and streams are valuable as anadromous fish habitat.



Vegetation in the Oregon Dunes is quite varied, depending on the severity of the site and the relationship to the seasonal water table. The beaches and open sand areas are devoid of vegetation, but pioneering plant communities reach out even into these hostile environments. On the drier sand areas, the pioneering species are European and American beach grass. These are succeeded in time by bearberry, manzanita, and shorepine. On the wetter sand areas, the pioneering species are sedges, rushes, and grasses, followed in time by willow, waxmyrtle, and Sitka spruce.

Further inland, where vegetation has been established for a longer time and the salt spray and wind from the ocean are less severe, salal, rhododendron, Pacific waxmyrtle, and evergreen huckleberry are common shrub species, with Sitka spruce, western hemlock, Douglas-fir, red alder, and shorepine being the common tree species.

Along the easterly edge of the active dunes is a zone of confrontation between shifting sand and forest. Wind either deposits sand against the trees, gradually burying them or blows the sand away, leaving the trees undermined. In places, several acres of forest have been isolated by the advancing sand and left as islands in a sea of sand. The easterly advance of the sand front varies with location but generally averages 6 to 10 feet per year.

The commercial timberland lies along the eastern edge of the NRA, mostly on private land within and adjacent to the NRA. The species are mainly Sitka spruce, western hemlock, Douglas-fir, western redcedar, and red alder. Almost all of the timberland has been cutover in the past 50 years, and is now a second-growth forest of varying age classes.



Resources

Recreation

Recreation use within the NRA is estimated at 344,000 visitor days of use in 1973. During the majority of the recreation season visitor use is considered moderate to heavy throughout and adjacent to the NRA.

There are many campgrounds within and adjacent to the National Recreation Area. They vary in size and design from 3 or 4 unit primitive camps to nearby State and County park systems of over 300 units with complete hookups for recreational vehicles.

Camping is primarily confined to developed campgrounds, although limited camping occurs in undeveloped areas by both off-road vehicle users and hikers.

The number of persons that can be accommodated at one time on National Forest facilities within the NRA are: campgrounds — 1,280; picnic areas — 50; beach parking lots — 1,165; swimming areas — 40; and boat ramps — 128. In addition, private enterprise maintains facilities for 50 campers and 30 boaters within the NRA. Douglas County beach parking lots accommodate 320 persons at one time within the NRA. An organization camp on National Forest land within the NRA provides facilities for an additional 176 people.

Other facilities outside the NRA, adjacent or nearby, include the following capacities of people at one time: National Forest Campgrounds — 770; State of Oregon Campgrounds — 3,385; County campgrounds — 750; County parking areas where overnight camping is allowed — 1,000; State of Oregon picnic areas — 2,000; and private campgrounds — 1,000.

Within or adjacent to the NRA there exists developed capacity to accommodate a total of 11,568 persons at one time exclusive of day use in undeveloped sites.

Access to the dunes and the beach is provided by four paved roads: one at the extreme north end, one at the extreme south end, one down the Siltcoos River, and the other just south of the Umpqua River. Additional foot access is available from campgrounds adjacent to U. S. High 101. In addition there are numerous access points and primitive sand roads utilized by dune buggies and 4-wheel drive vehicles throughout the area.



The activities available within the NRA are many and varied. They range from passive to active. Some of the most popular are picnicking, beachcombing, dunebugging, fishing, hiking, sand play, photography, wildlife observation, waterfowl hunting in season, and clamming.

Major recreation use within the NRA occurs primarily during the spring, summer and fall. Many activities are available year-around, including beachcombing, fishing and off-road vehicle use.

Concentrations of people are found on the beaches within a mile radius of the beach parking lots. Ten parking lots adjacent to the beach provide a capacity for 1,485 people. In addition, hikers precipitate across the open sand dunes to the beaches from the campgrounds and day use areas located on the periphery of the NRA adjacent to U. S. Highway 101.

The beach parking lots and the campgrounds are also the dispersal points for people entering the open sand areas on foot for hiking, sand play, or general exploration and nature study. Several undeveloped areas adjacent to Highway 101 also provide access for visitors on foot.

Off-road vehicle enthusiasts utilize the entire NRA west of Highway 101 with the exception of areas that have been specifically closed to them. Closed areas include the Umpqua Dunes Scenic Area (between Umpqua Lighthouse State Park and Tenmile Creek) and designated closures on the beaches adjacent to parking lots where heavy concentrations of foot traffic occurs, as shown on map. Approximately 85% of the NRA is open to off-road vehicles at this time. Favorite ORV play areas are the dunes between the South Jetty Road and Threemile Creek, the Umpqua Lighthouse State Park, and the dunes south of Tenmile Creek. The beaches are also favorite ORV play areas.

Fishing use is heavy on the rivers and streams within the NRA, as well as the large lakes adjacent to it. Surf fishing is increasing in popularity. The rivers, lakes and ocean are open to fishing year-around. Clamming is primarily confined to the mud flats within the estuaries of the Siuslaw, Umpqua and Coos Rivers.

Adjacent to the NRA, charter boats for ocean fishing are available on the Siuslaw River, Umpqua River, and Coos Bay. Marinas with launching facilities for private boats are also available on these estuaries. One of the most popular marinas in the State is the Douglas County marina at Winchester Bay on the Umpqua River.

Bird hunting is popular within the NRA, occurring primarily on the rivers and lakes, and the high water table areas adjacent to the beach and foredunes. Some deer hunting also occurs throughout the area.



Wildlife and Fish

The NRA and offshore waters of the Pacific Ocean are inhabited or used by 426 species of wildlife. Birds are the most numerous, including songbirds, birds of prey, and migratory birds. Although less conspicuous, a large number of mammals inhabit the area. The Columbian black-tailed deer is the most common terrestrial mammal, while the California sea lion is one of the more common marine species.

The NRA is inhabited or used by 10 species of wildlife considered or suggested as being rare, endangered or peripheral in Oregon or the nation. Five of these species, the bald eagle, osprey, snowy plover, common egret, and the white-footed vole, are of concern because man's activities might have a detrimental effect on them.

There are 83 species of fish present in the waters of the NRA. The greatest numbers are found in the estuaries. Nine species of anadromous fish use the ocean and estuaries, freshwater streams and lakes during part of their life cycles. Salmon, steelhead trout, and cut-throat trout are the most popular with sport fishermen. In addition there are 20 species of freshwater fish that inhabit the streams and lakes. Rainbow trout, large-mouth bass, and crappie are some of the more common ones.



In addition, two species of shellfish are present. These are the razor clam and the soft-shell clam. The razor clams occur in the sandy beaches and the soft-shell clams in the river mud flats.

The variety of wildlife provides both sport and pleasure to those visitors who are hunters, fishermen, cameramen, or just like to observe wildlife.

Water

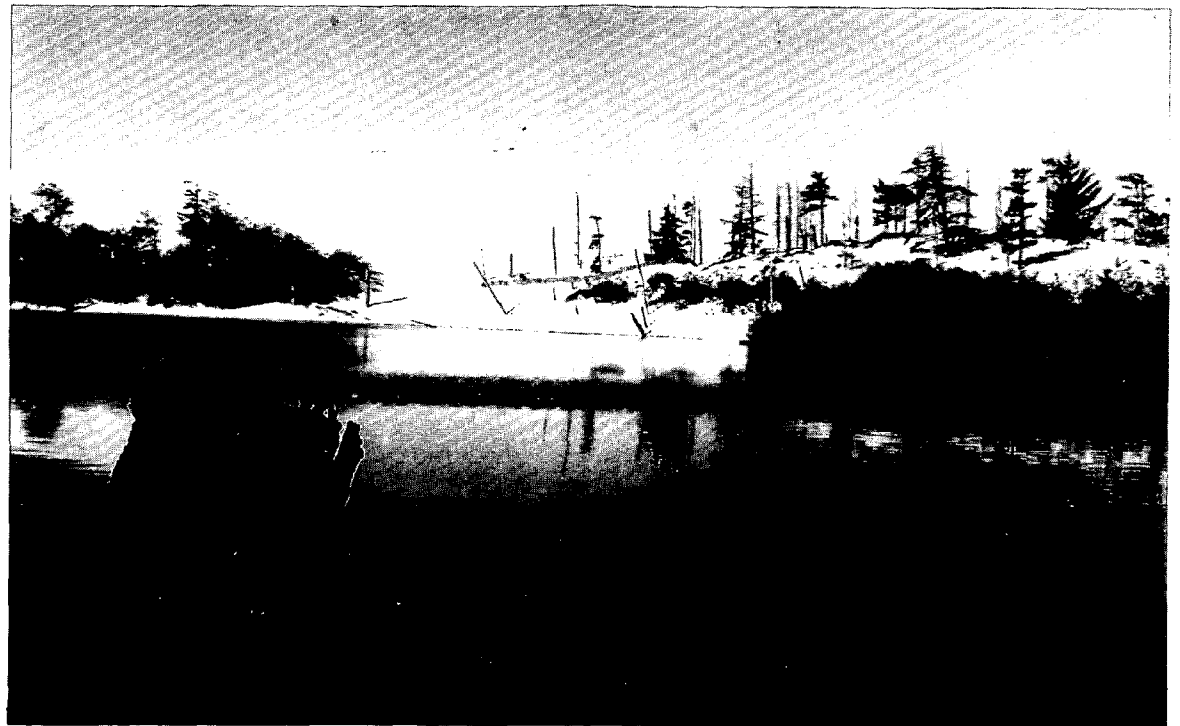
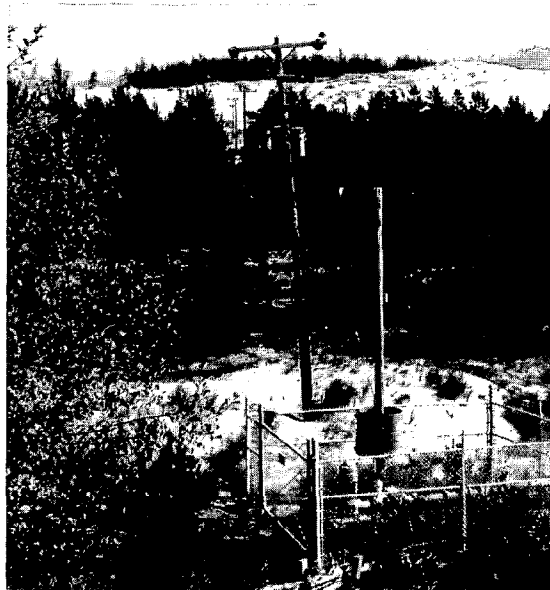
The rivers and streams within and adjacent to the NRA are valuable as anadromous fish habitat. Along with the lakes, these rivers and streams also support both warm and cold water fisheries. The larger lakes, Siltcoos and Tahkenitch, are especially abundant in warm water species.

International Paper Company maintains two dams, one on the Siltcoos River and the other on Tahkenitch Creek. These dams maintain the water levels of Siltcoos and Tahkenitch Lakes. Water is pumped from Siltcoos Lake to Tahkenitch Lake and then to their pulp mill at Gardiner. Provisions in P.L. 92-260 protect their right to obtain water from these lakes.

The sand dunes are an excellent aquifer. The sand absorbs and stores as fresh ground water, a large percentage of the 70 inch average annual rainfall. The Coos Bay-North Bend Water Board has a 30 year term special use permit for removal of ground water. The water is used for both municipal and industrial purposes. There are 18 wells in production at present. Long range plans call for a total of 64 wells, the last proposed well being just south of Tenmile Creek.

The permit makes it mandatory for the Water Board to continually monitor the aquifer to prevent lake drawdown and salt water intrusion. Provisions in P.L. 92-260 protect the continuance of this operation.

The lakes, streams, ponds, marshes, and estuaries are ideal nesting places for migratory waterfowl. The NRA is within the Pacific Flyway.



Forest Cover

On the naturally stabilized dune surfaces the forest canopy is open. The trees are relatively small with their crowns showing the effect of wind forming and pruning. The shrub layer beneath is dense to the point of being an impenetrable thicket. This forest plant community consists of shorepine, Sitka spruce, western hemlock, western redcedar, and Douglas-fir, with minor amounts of willow and red alder. The important shrub species are rhododendron, salal, evergreen huckleberry, trailing blackberry, salmonberry, thimbleberry, manzanita, Pacific waxmyrtle, and bearberry or kinnikinnick.

All of the forested area east of U. S. Highway 101, and most of the area west of the Highway, has been cutover from 10 to 50 years ago and is in various stages of regrowth. Most of the commercial timberland is in private ownership. Continuation of the sustained yield production of timber is protected under provisions of P.L. 92-260. There is a small amount of National Forest land that is classed as commercial forest land, but it has never been included in any allowable harvest calculation for the Siuslaw National Forest. This too has been cutover in the past and supports vigorous stands of second-growth timber. This timber is harvested for salvage, control of diseases, and for maintenance of aesthetics.



Geology-Minerals

The geological history of this area is not yet fully understood, but research of available information provides some indication of past significant events.

Most of the area is related to Tertiary (60 million years ago) and Pliocene (one million years ago) activities and deposition materials (sedimentary formation) formed during these periods.

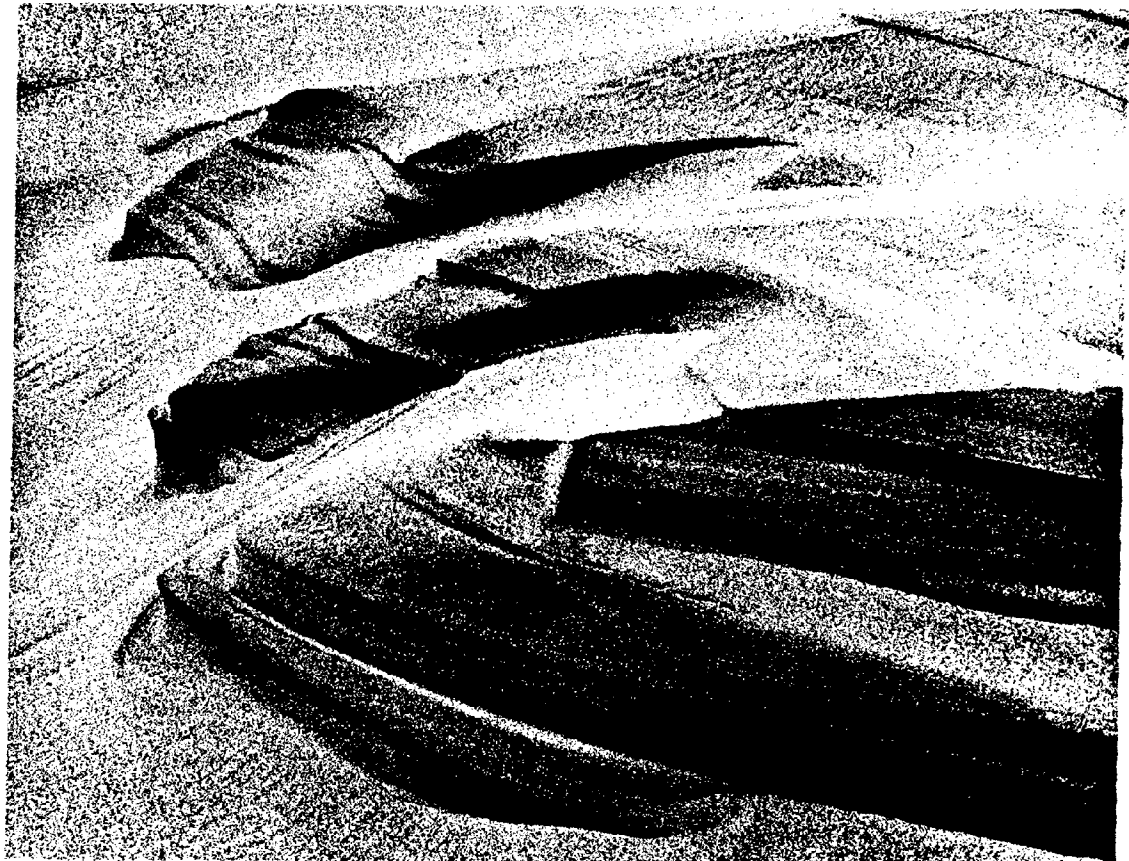
Through geologic time, mountains were created, volcanic activity took place, the ocean rose and fell several times, and there were several cycles of glaciation. At the end of the last (Wisconsin Period) glaciation, the present sand dune activity began. As the glaciers melted and the sea rose, the sand moved inland ahead of the advancing ocean, reaching its maximum development at the end of submergence, about 6000 years ago.

The breakdown of older geologic formations along the coast and within the distant interior marks the origin of the sand making up the present dunes. The sand is transported by the rivers to the ocean. The offshore currents distribute it along the coastline. The tides and waves move the sand up onto the beach where it becomes exposed to the wind and is blown inland.

The movement of sand from the beaches to the dunes has been seriously disrupted within the last 30-50 years by the introduction and spread of European beach grass. European beach grass was planted near the mouths of navigable rivers years ago to prevent sand from blowing into and blocking the channels of these rivers.

Through the years the beach grass has spread naturally along the coast, creating a vegetated foredune adjacent to the beach the entire length of the NRA. This foredune acts as a barrier to additional sand movement from the beach. The dunes are now feeding upon themselves as they slowly move eastward. Inland from the foredune the sand is removed by wind action down to the water table. This moist sand creates an ideal seedbed, with natural vegetative succession occurring very rapidly. Scientists predict that within 90-200 years the Oregon Dunes will be vegetated due to the existence of the foredune barrier.

The sand within the NRA has proven to be of suitable quality for glass manufacturing. Besides the glass sand, there are no other mineral values within the NRA. There are no known valid mineral or other claims within the area. Public Law 92-260, the Act creating the National Recreation Area, withdrew all lands in the area from entry under both the Mining and Mineral Leasing Laws.



Wilderness

The Wilderness Act, Public Law 88-577, defines Wilderness as:

"A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, education, scenic, or historical value."

The term "untrammeled" as used in the Wilderness Act means an area where action by man has not or should not impede the free play of natural forces. Wilderness is a characteristic of the land — an aura or distinctive atmosphere — which can be readily recognized by a person on that land. Manipulation, or trammeling, of the flora and/or fauna or the surface of the land by man would destroy that atmosphere, but that atmosphere could also be eroded or destroyed by external and internal influences which may have very little or no physical effect on the area or its biota.

One of the qualifications of wilderness is that it must contain undeveloped Federal lands retaining its primeval character and influence. Lands that have been developed or modified by man do not retain this primeval character. Intensively managed forests, developed recreation sites or areas of extensive vegetative modification are examples where primeval character is lacking. Primeval character may also be influenced by nearby developments or activities. Private, State, or County lands may not be included in the Wilderness Preservation System.

Forage

Being almost one-third open sand at the present and over one-half open sand 50 years ago, there is little evidence of grazing of domestic livestock in the NRA. There was some grazing in the vicinity of Tenmile Creek, but it was rather minor. At present there is one owner who grazes some cattle on his land. He converted a shorepine forest to pasture prior to the NRA Act.

The NRA is not suited for production of forage for domestic livestock.

Wilderness is further defined as an area without permanent improvements or human habitation. Residential developments, homes or recreation cabins may not occur within a wilderness.

A wilderness must generally appear to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable. Modification of the vegetation or development of the land reduces or eliminates the impression that it is affected primarily by the forces of nature. Evidence of man's adjacent works and their influences also have an effect on this criteria.

Another characteristic inherent in the wilderness resource as defined by the Wilderness Act is that it must offer outstanding opportunities for solitude or a primitive and unconfined type of recreation. The presence of large numbers of people on an area of land, even though they are managed very carefully to prevent damage to the soil and vegetation or pollution of water, will certainly erode and eventually remove this aspect of the wilderness resource. The size of the area and proximity to the sights and sounds of civilization also bear a relationship to the degree of solitude or primitive recreation experience available within the area.

An area of wilderness must be of at least 5,000 acres or of sufficient size to make practical its preservation and use in an unimpaired condition. For an area to be managed in an unimpaired condition, it must have a readily recognizable boundary. Wilderness boundaries should be located to: (1) avoid conflict with important existing or potential public uses outside the boundary which might result in demands for invasion of the Wilderness with nonconforming structures or activities; (2) be readily and accurately described, established and recognized on the ground; and (3) where possible, conform with terrain or other features that will constitute a barrier to prohibited uses and to the extent practicable, act as a shield to protect the Wilderness environment inside the boundary from the sights and sounds of civilization outside the Wilderness. A ridge top generally serves this purpose much better than does a canyon bottom.

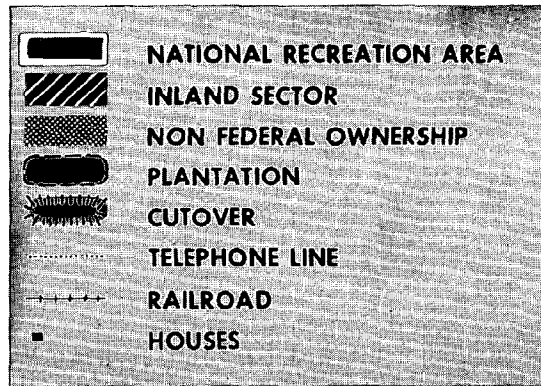
Wilderness philosophy, Wilderness classification and Wilderness management go hand-in-hand. All must be considered in studying an area for inclusion in the National Wilderness Preservation System.

All lands within the Oregon Dunes National Recreation Area were weighed against this criteria for Wilderness suitability.

The following pages discuss the wilderness suitability of the NRA as it relates to the criteria for wilderness as stated in the Wilderness Act. The NRA is divided into four sections, from north to south, to provide logical discussion points.



Siuslaw River - Siltcoos River



This area includes the northern extremity of the NRA. It is bounded by the Siuslaw River on the north, the NRA boundary on the east, Siltcoos River on the south, and the Pacific Ocean on the west. It is approximately 10 miles long and ranges from one-fourth to two miles wide.

The area contains a total of 7,146 acres. Included are 6,332 acres of Forest Service administered lands, 250 acres owned by Lane County, 218 acres of State land and 346 acres of private land (266 acres of the private lands are located within the Inland Sector). In addition, the beach is owned and controlled by the State of Oregon.

While portions of this area are, and gives the appearance of being primarily affected by the forces of nature as witnessed by the giant sand dunes gradually inundating the forests, man's works are substantially noticeable throughout.

Two paved access roads lead to the beach, pouring several hundred thousand visitors annually into this narrow area. The South Jetty Road protrudes into the northern tip of the NRA for about five miles, with over 3-1/2 miles of this road paralleling the beach. Six beach parking lots and one river parking lot are adjacent to this road. Visitor use of this road is heavy all year, with beachcombing, wildlife viewing, jetty fishing and dune bugging the most popular activities. The parking facilities along this road accommodate 565 persons at one time.

The Siltcoos Road also extends to the beach just north of the Siltcoos River mouth, where it terminates at a large parking lot with a capacity of 300 people at one time. Two Forest Service campgrounds are located along this road adjacent to the north side of the Siltcoos River. The beaches and dunes in this area are focal points of activity for both hikers and ORV enthusiasts. This area is also popular year long.

U. S. Highway 101 near the eastern boundary of this area also provides several attractions for the visitor to walk, ride or fly into or over the area. Thousands of visitors to Honeyman State Park, adjacent to the NRA boundary at Cleawox Lake, hike up the large sand dune overlooking the lake. This dune is located within the NRA. Many continue on to the beach, which is visible to the west. A large Girl Scout organization camp is located on the shores of Cleawox Lake immediately north of Honeyman State Park and within the NRA. Two private dune buggy concessions south of Honeyman State Park offer excursions into the NRA from bases located adjacent to the NRA boundary. A floatplane concession operating from Woahink Lake provides scenic flights over the NRA for visitors travelling U.S. Highway 101. Additional visitors emanate from commercial enterprises and private homes all along this portion of the highway adjacent to the NRA. Tyee Campground and boat ramp are located on the east side of the Highway where it crosses the Siltcoos River.

The Siuslaw and Siltcoos Rivers have been modified by man to accommodate economic livelihoods nearby. Extensive rock jetties on the Siuslaw River protrude into the sea so that ships, barges and fishing boats may enter and leave the ocean with some degree of safety. Rock groins extend into the river at several points in an effort to harness nature so that it self-channelizes the river, rather than requiring man to dredge it. Channel markers on the shore help guide navigators to prevent them from running aground.

The entire tip of the Siuslaw River spit was formerly owned by the U. S. Army Corps of Engineers and may still be used to the extent necessary to perform work on the jetties and river bank. Lane County lands near the eastern boundary and adjacent to the Siuslaw River may require sand stabilization plantings to reduce the amount of sand blowing into the channel.

Hundreds of acres of open sand dunes have been stabilized with exotic plant species to control the movement of sand, thus protecting man's improvements and preventing additional siltation of the rivers. Species planted were European beach grass, scotch broom, and shorepine.

In the past, extensive areas were drilled to grain to provide feed to wildlife and waterfowl existing within the area. These plantings occur adjacent to the South Jetty Road and north of the Siltcoos Campgrounds. Viewing of wildlife, particularly the large populations of whistling swans attracted to the area, is now a popular activity for winter visitors to the NRA.

The Siltcoos River has been harnessed by a steel and concrete dam so that the level of water in Siltcoos Lake may be regulated to allow withdrawal for paper manufacturing purposes. The dam is located within the NRA. The gates are regulated with large electric motors. Heavy equipment access is required for maintenance.

The U. S. Coast Guard maintains an overhead telephone line paralleling the beach for the entire segment of this area. Maintenance of this line requires the continual use of motorized equipment on the primitive sand road paralleling this line.

The small tracts of commercial sized forests within the area have been harvested in the recent past. After logging, some of these tracts in the vicinity of Cleawox Lake were subdivided, with several private homes now situated on the lots. The Oregon Dunes Act allows these homes to remain.

Cleawox Lake and the Siltcoos River estuary are meandered bodies of water and are owned by the State of Oregon.

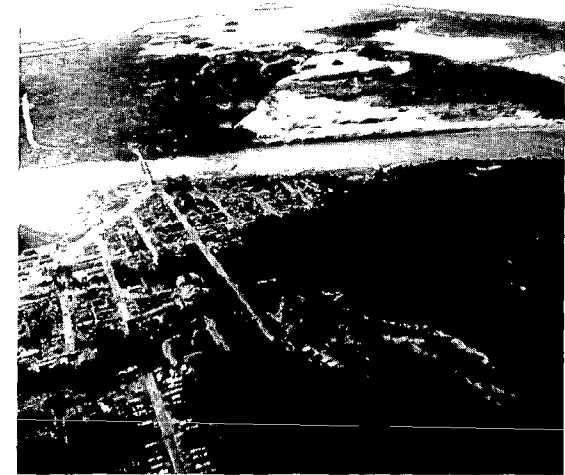
The communities of Florence, Glenada and Dunes City lie adjacent to the NRA boundaries and are readily seen from many parts of this area.

The sights and sounds of civilization are readily apparent throughout this area as evidenced by residential developments within and adjacent to it, the heavy commercial development nearby, the motor vehicle traffic on the highways and roads within or immediately adjacent to it, and the modifications of the rivers and vegetation that man has imposed on the area.

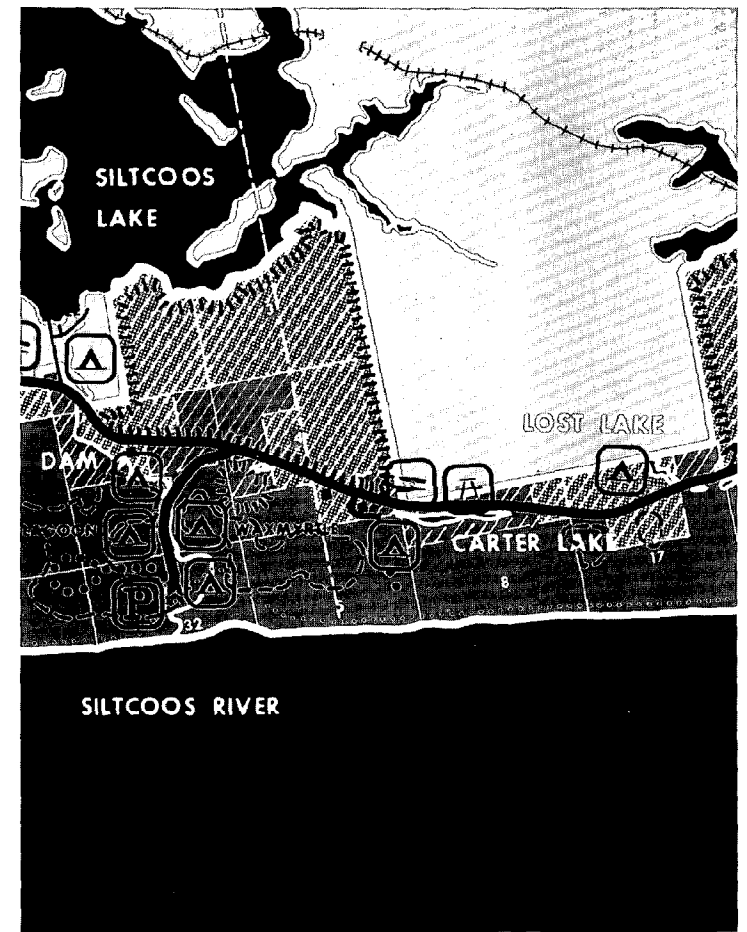
The area is too developed, small, narrow and close to civilization to offer an opportunity for solitude or a primitive and unconfined type of recreation. Primeval character exists immediately upon areas of open sand but is lost as one looks in any direction to see evidence of man's developments and modifications of the landscape.









The thick, almost impenetrable, coastal vegetation requires that visitors precipitate to areas of open sand. This increases the visibility of other people wandering through the area, erasing the feeling of solitude that one may gain in other areas outside the NRA where vegetation serves as a natural screen.







The area offers excellent opportunities for nature study, photography, sand play, day hiking, waterfowl hunting, camping, beachcombing, and dune bugging. The area also contains ecological and geological features of scientific, educational and scenic value.

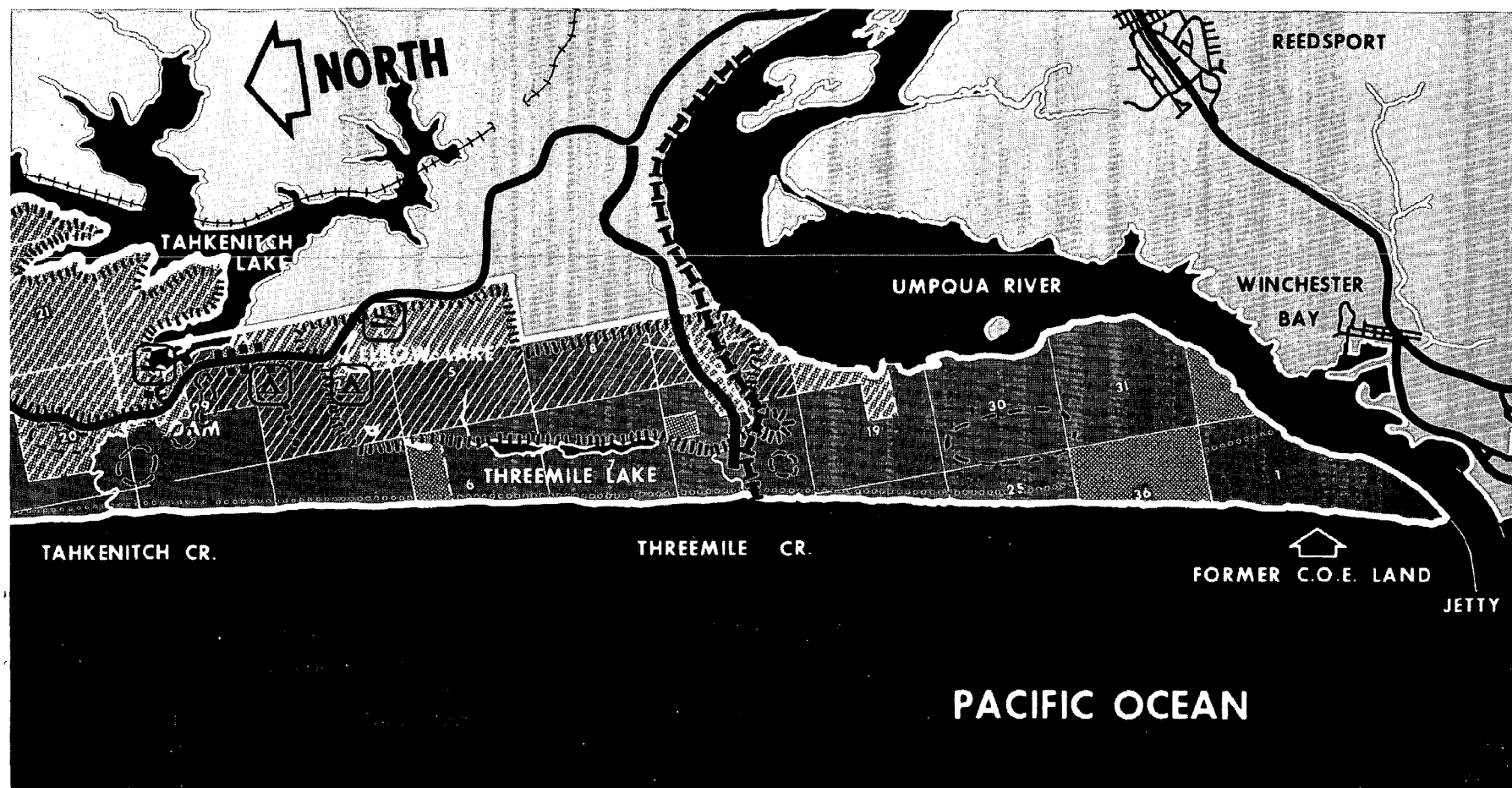


Siltcoos River - Umpqua River



	NATIONAL RECREATION AREA
	INLAND SECTOR
	NON FEDERAL OWNERSHIP
	PLANTATION
	CUTOVER
	TELEPHONE LINE
	RAILROAD
	HOUSES

	ROAD
	PARKING LOT
	CAMPGROUND
	PICNIC AREA
	BOAT RAMP & PARKING
	NAVIGATION BEACONS



This area is bounded by the Siltcoos River on the north, the NRA boundary on the east, the Umpqua River to the south and the Pacific Ocean on the west. It is fourteen miles long and ranges from one-half mile to two and one-half miles wide.

This portion of the NRA contains a total of 11,459 acres. Of this total, 6,938 acres are Forest Service lands, 3,699 acres are privately owned within the Inland Sector, 120 acres are privately owned within the Dunes Sector, 537 acres are State of Oregon lands and 165 acres are owned by Douglas County. The beach is owned and controlled by the State of Oregon.

The NRA reaches its widest and narrowest points within this segment. The forces of nature are apparent in the open sand dunes west of U. S. 101. The dunes are narrowest within this area, also, seldom ranging over one-half mile from the beach.

This area has been substantially modified by man. The highway runs lengthwise for over seven miles through a portion of it within one-half to one and one-half miles of the beach. A paved access road at the north end leads to the beach and several campgrounds near the Siltcoos River. Several thousand visitors per year use this road and recreational facilities. Two major campgrounds and two small camps are located within the area adjacent to Highway 101. Two commercial resorts exist at Tahkenitch Lake, as well as a Forest Service boat ramp. Private residences are located within the NRA near the Siltcoos River, Carter Lake, Perkins Lake and Tahkenitch Lake. The NRA Act permits these homes to remain. In the vicinity of Threemile Creek a gravel road dissects the NRA to a point just short of the beach.

Commercial timberlands are most extensive within this area. Several thousand acres exist east of Highway 101 to the shores of Siltcoos and Tahkenitch Lake. These timberlands have been all cutover from 5 to 50 years ago. The lands now support vigorous second growth stands that are intensively managed for timber and fibre production. Most of these timberlands are privately owned and protected from eminent domain under the terms of the NRA Act. Extensive private timberlands also occur west of Highway 101 from the north end of Tahkenitch Lake south to the Umpqua River. These timberlands extend westward almost to Threemile Lake and are intensively managed under the principles of sustained yield. Non-native timber species have been planted on some of these lands.

Large beach grass plantations are plainly visible as modifiers of the natural ecosystems from Carter Lake to the Siltcoos River, just south of Carter Lake to prevent inundation of the highway, and near Tahkenitch Creek to prevent sand deposition in the river and near the Tahkenitch Dam.

Tahkenitch Creek itself is harnessed with a steel and concrete dam to regulate the water level of Tahkenitch Lake. Water from this lake is pumped to International Paper Company in Gardiner for the manufacture of paper.



An effluent pipeline is located underground adjacent to the Threemile Road. Wastes from the paper mill in Gardiner flow through this pipeline to be discharged through an offshore ocean outfall. Shutoff valves and gauges located along this pipeline aid in monitoring possible leaks and the maintenance of this line. The last valves and gauges are located near the beach. Gauges at this point are inspected daily to determine if sand has drifted over the bubblers offshore. Access for motorized vehicles and heavy equipment is necessary for monitoring and maintenance of this pipeline.



Approximately midway between Threemile Creek and the tip of the Umpqua Spit, several hundred acres have been planted to grains in the past to improve the habitat for waterfowl that migrate or winter over in the area. These have proved to be important rest and feeding areas along the Pacific Flyway.

The shoreline of the Umpqua River has been extensively managed by man. A long concrete jetty with the remnants of a railroad trestle on top extends over one-half mile into the Pacific Ocean. Pile dikes extend from shore into the river to aid in channel maintenance. Bright orange navigation markers and lighted beacons are numerous along the shore. At the southern tip of the spit, several hundred acres of former Army Corps of Engineer lands are available for jetty construction and maintenance work, as well as river dredge spoils placement. Lumber barges, commercial fishing boats, pleasure craft and oil tankers ply the river in large numbers.

The Coast Guard telephone line parallels the beach for nearly the entire length of this segment, requiring motorized equipment for inspection and maintenance.

The paper mill community of Gardiner and community of Winchester Bay are plainly visible from the North Spit of the Umpqua River. The plume from the paper mill, with associated odor, drifts across the spit during periods of easterly winds.

Although the State and Counties have no plans for development of their lands at this time, the NRA Act does not provide direct control over development of these lands.

The opportunity for solitude or a primitive and unconfined type of recreation is diminished by the large numbers of people using the area, the ease of accessibility, the proximity to civilization and developments and the small size of the area.

Visitors emanate from the Siltcoos Campgrounds and beach parking lot in the northern portion. Carter and Tahkenitch Campgrounds provide short trails to the dunes. From there, hikers wander among the dunes or hike to the beach, a short distance away. The dunes are also readily accessible at several points along U. S. 101 and at Tahkenitch Dam. Off-road vehicles utilize nearly the entire areas of open sand west of U. S. 101.

Although perhaps the least accessible within the entire NRA by hikers, the North Spit of the Umpqua River is readily accessible by boat from Winchester Bay, Gardiner and Reedsport. The North Spit is a favorite for clamming and waterfowl hunting, and attracts relatively large numbers of people coming in by boat, and off-road vehicles.

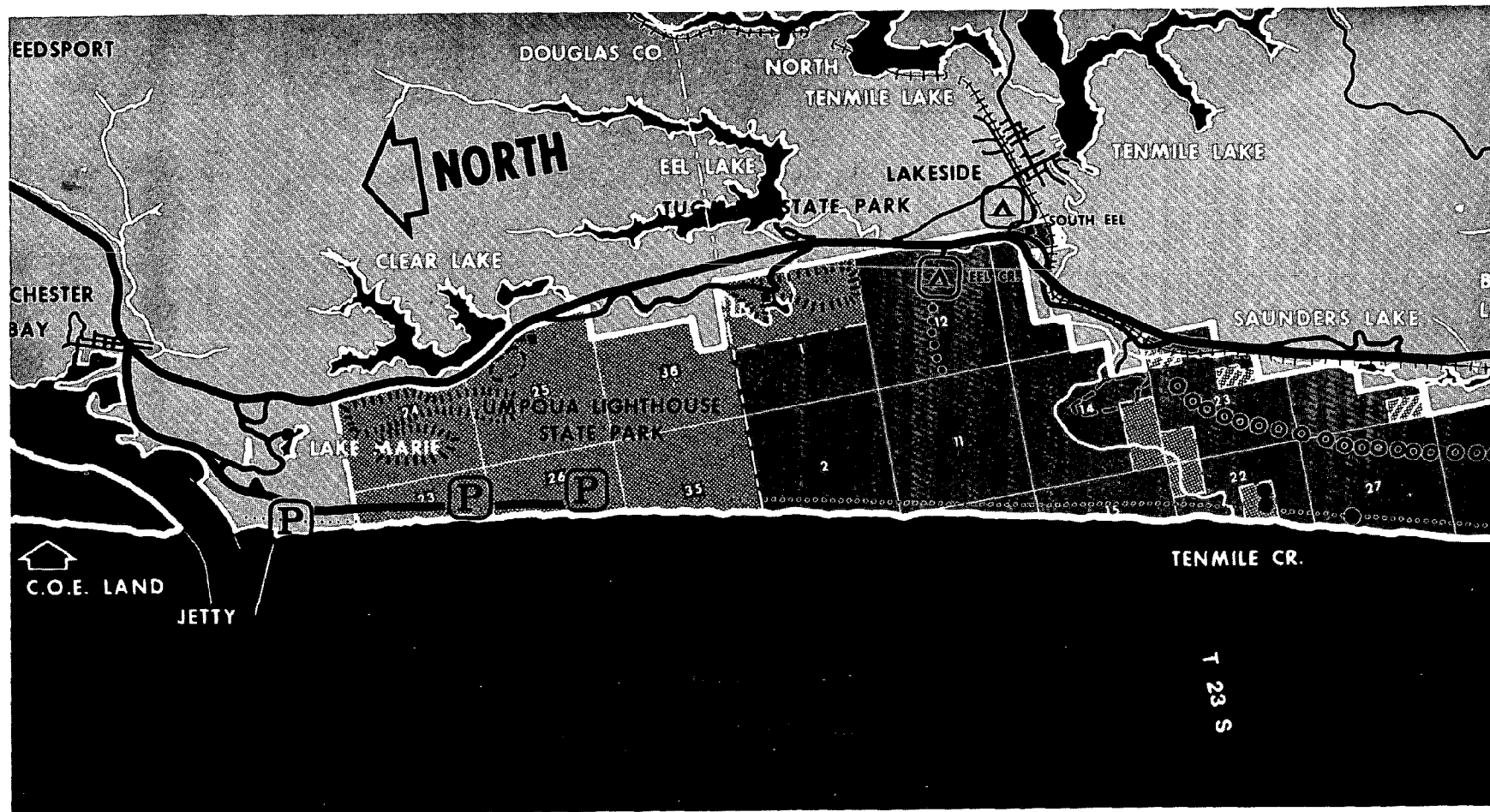
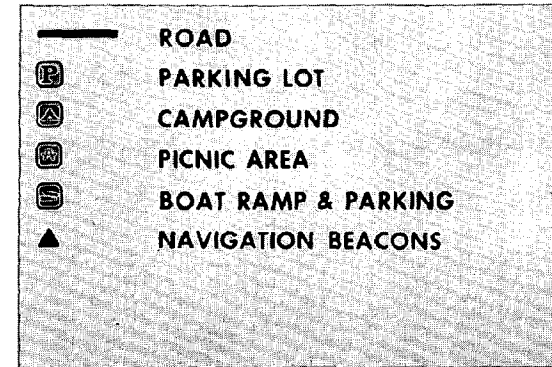
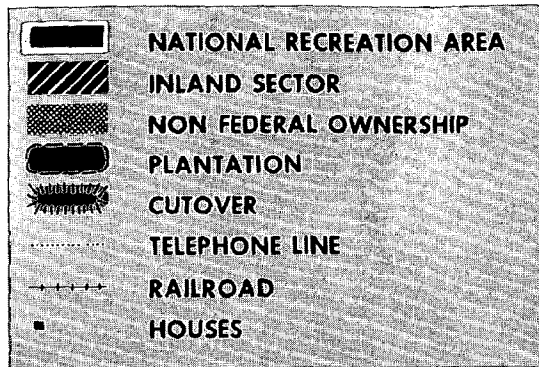
Favorite undeveloped camping sites are along Tahkenitch Creek, Threemile Lake and Barratt's Landing on the Umpqua River. Potable water is available at these sites. However, these areas are small and frequently become quite crowded since the areas for camping are limited in number. Threemile Lake is approximately one-half mile north of the Threemile Road; Barratt's Landing is a little over one-half mile south. The narrow shape of the area, proximity to civilization and ready accessibility preclude the opportunity for solitude or an unconfined recreation experience.

The primeval character still exists on areas of open sand and naturally stabilized dunes in this area. However, the narrowness of this unit, proximity to developments, modification by man such as timber harvesting and the intrusions of the sights and sounds of civilization nearby all reduce the primeval character significantly.

Scenic, geologic, ecological, scientific and historic values are present to a high degree within the area. The site of Old Fort Umpqua, established in 1859, is located within this area on the North Spit of the Umpqua River.



Umpqua River - Tenmile Creek



This area is bounded on the north and east by the NRA boundary, the south by Tenmile Creek and the west by the Pacific Ocean. The area is approximately six miles long by two miles wide, containing a total of 5,585 acres.

Of the total acreage, 2,316 acres are owned by the State of Oregon and are within the Umpqua Lighthouse State Park. Private lands include 343 acres within the Dunes Sector. Coos County owns 42 acres in the vicinity of Tenmile Creek.

It is within this area that the sand dunes reach their greatest size in terms of area and height. The land itself is perhaps least modified within this area, except around the perimeter.

The beach access road and parking lots extending one and one-half miles into the NRA from the north provide ready access to hikers and off-road vehicles. Beach parking lots along this road accommodate 320 persons at one time within the NRA. The Eel Creek Campground in the southeastern corner also provides an entry point for numerous visitors, accommodating 465 visitors. In addition, nearby State, County and private facilities accommodate 1,675 campers and 1,500 picnickers at one time.

Extensive modifications of the land occurs on the east side, in the form of cutover timberlands, and beach grass plantations that protect the highway, the City of Reedsport's water supply, and a private residence.

The Coast Guard telephone line parallels the beach the entire length, requiring motorized access for maintenance of the line.

The Umpqua Lighthouse State Park is used extensively by hikers and off-road vehicles. The Umpqua Dunes Scenic area is used by hikers; being closed to ORV's. The beaches, owned and controlled by the State of Oregon, are closed to ORV use in the summer due to the large amount of people in this area. The NRA Act does not provide for direct control over development of State and County lands.

The developed portion of Umpqua Lighthouse State Park and the resort community of Winchester Bay lies immediately north of the NRA boundary. The City of Lakeside lies adjacent to the eastern boundary next to the Umpqua Dunes Scenic Area. Extensive residential and commercial developments occur adjacent to the eastern boundary from Clear Lake to Tenmile Creek. A private home exists within the NRA boundary adjacent to the scenic area.



From the tops of the tall dunes, nearby traffic on U. S. 101, private homes, commercial establishments, and the community of Lakeside are readily seen, as well as the beach road and river jetties. The landing pattern for the Lakeside airstrip is directly over this area.

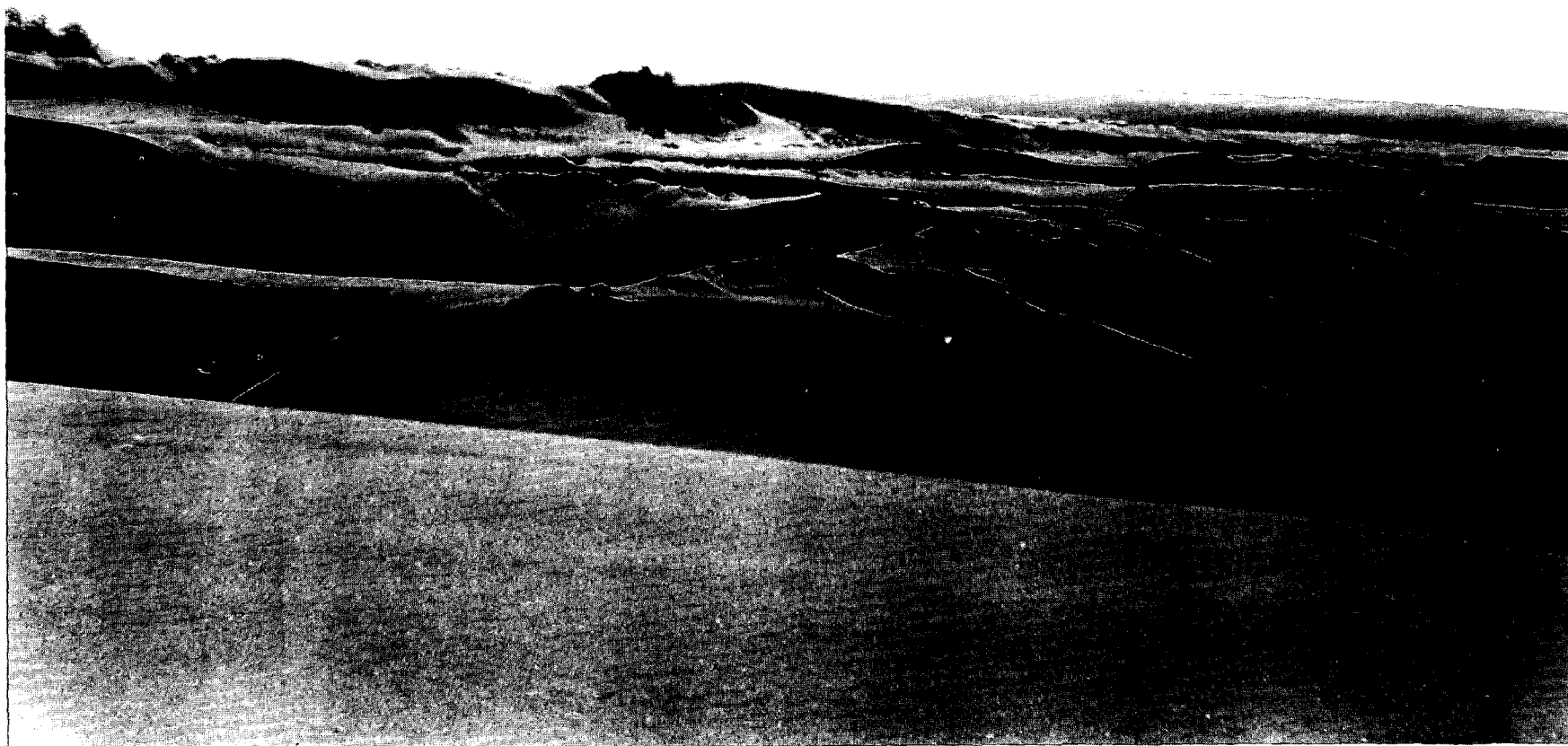


The opportunity for solitude or unconfined recreation is generally lacking throughout this area due to the large numbers of visitors, its relatively small size and proximity to extensive developments adjacent to the area. The width of the area may be traversed in 45 minutes, while the length may be hiked in two to three hours. Hikers or visitors at widely scattered intervals are visible for long distances, due to the lack of vegetative barriers. Sound and sight intrusions also penetrate from surrounding influences, including U. S. Highway 101 nearby.

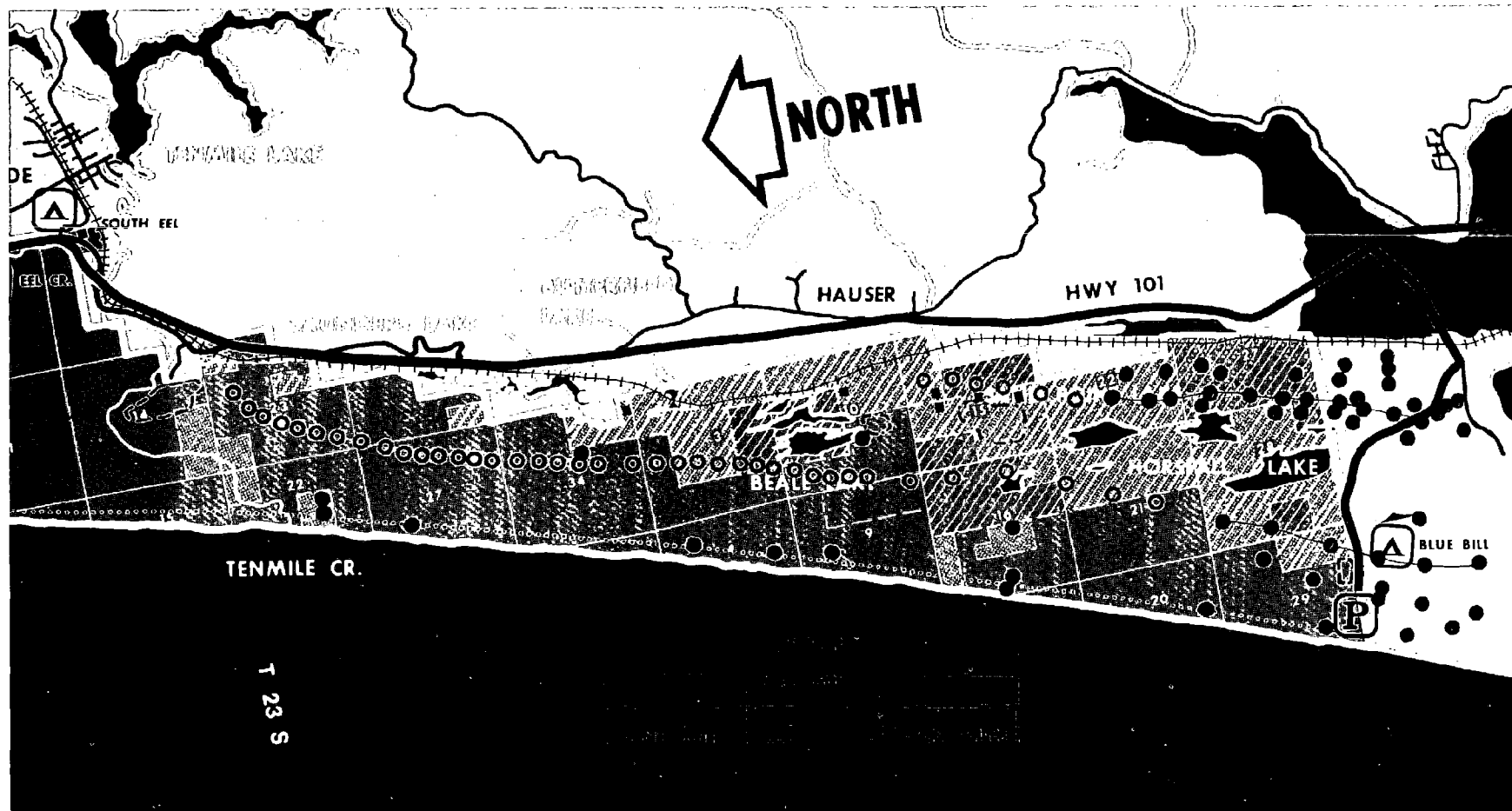
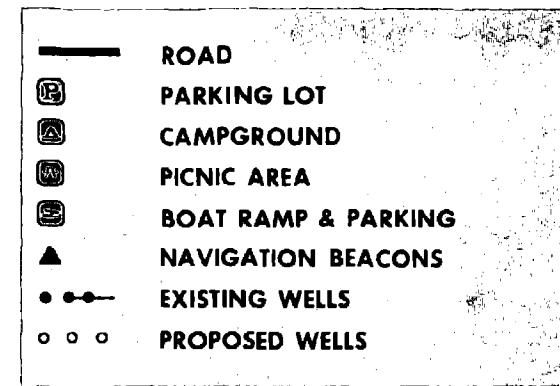
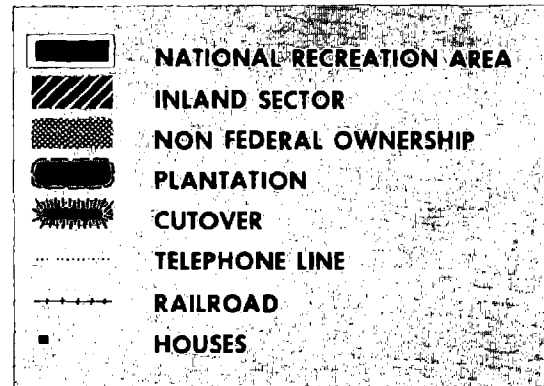
The primeval character exists within this unit due to the large amount of open sand and freedom from man's physical intrusions. However, the smallness of the area and the proximity of developments with intrusions of the sights and sounds of civilization diminish the primeval character.

The area offers excellent opportunities for scientific study, especially in geology and dunal processes.





Tenmile Creek - South Boundary



This portion of the National Recreation Area is bounded on the north by Tenmile Creek, the east and south by the NRA boundary and the west by the Pacific Ocean. The area is approximately 9 miles long and ranges from one to two and one-half miles wide.

Total acreage of this area is 7,996 acres. Of the total, 4,844 acres are Forest Service administered lands. Private lands total 2,446 acres within the Inland Sector and 370 acres within the Dunes Sector. Coos County owns 253 acres, with the State of Oregon owning 83 acres. The beaches are also owned and controlled by the State of Oregon.

Recreation activities are many and varied throughout this area. They include waterfowl hunting, ocean surf fishing, beachcombing, wildlife observation, hiking and dispersed camping, and extensive use of the area by ORV's. The Horsfall Beach parking lot at the south end provides for 300 visitors at one time. Blue Bill Campground, just outside the NRA boundary, accommodates 95 campers at one time.

Evidence of man's activities are apparent throughout the area. Examples of man's works are the railroad, the highway, private residences, cultivated lands, power line, wells and pipelines — including piezometer monitor wells, campgrounds and parking lots. Here again, the Coast Guard telephone line parallels the beach, requiring motorized equipment for maintenance.

Most of the private land within this area, 2,446 acres, is within the Inland Sector. The uses and structures that were in existence on those lands as of December 31, 1970, have special protection under the provisions of P.L. 92-260. The Government's right of eminent domain has been restricted in these cases.

The continuance of the Coos Bay-North Bend Water Board's operation to extract water from the sand dunes aquifer is also protected by provisions in the NRA Act. Eighteen wells are in existence, with another 46 planned to extend north almost to Tenmile Creek. The construction and maintenance of the wells, pipelines and monitor wells requires the use of motor driven machinery.

The continuance of this operation is vital to the cities of North Bend and Coos Bay as a supply of potable water. In addition to the proposed wells shown on the vicinity map, a parallel system of piezometer wells will be necessary between the proposed wells and the beach. Electrical power and pipelines are necessary to pump and distribute the water. Monitoring, maintenance and construction all require the use of motorized equipment.

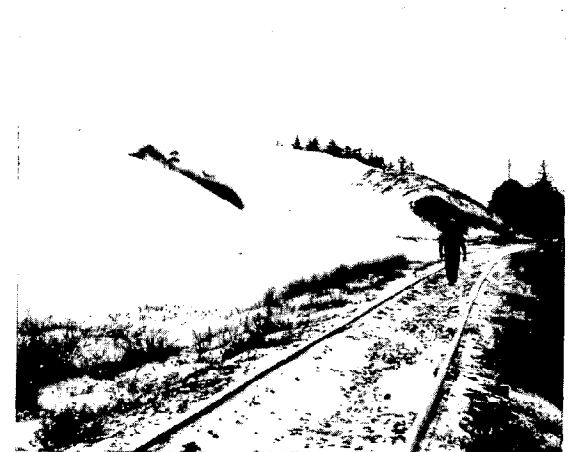


The communities of Saunders Lake (unincorporated), Hauser (unincorporated), and North Bend (population 8,553) are nearby.

The opportunity for solitude or unconfined recreation is nonexistent within this area due to heavy developments both within and adjacent to the area.

Primeval character either is lacking or will be lacking due to the utilization of the water aquifer and other developments and modifications within the area.

The area is long and extremely narrow and would be difficult or impossible to maintain in an unimpaired condition. Sight and sound encroachment from the private lands within and adjacent to the NRA further diminish the wilderness character. (The opportunity for scientific or educational study is excellent in this area.)



Summary of Wilderness Suitability

In summary, man's activities both within and adjacent to the Oregon Dunes National Recreation Area have been many and varied. He has left his imprint over most of the area. Jetties at the mouths of the major rivers, navigational aids and beacons along the rivers, roads, highways, parking lots, campgrounds, picnic grounds, boat ramps, marinas, powerlines, telephone lines, railroad, logging, water wells and pipelines, plantations of grass, shrubs and trees, residences and a cemetery are some of the indications of man's presence. Even the beaches and estuaries show long lasting evidence of man. Sawn logs, lumber and stumps have washed down the rivers or floated in from the sea, leaving a strong imprint of man's activities on the beaches.

The configuration of the NRA, long — 38-1/4 miles of beach, and narrow — 2-3/4 miles wide at the widest point, with a major U. S. Highway either within or immediately adjacent to the eastern boundary for most of its length, and the presence of eleven communities and cities adjacent or nearby does not lend a wilderness atmosphere to the area. The sights and sounds of civilization encroach and are apparent throughout the entire NRA.

There are ecological, geological and other features of scientific, educational, scenic or historic values in the NRA and the opportunity for study of these values is definitely present; however, this opportunity exists now and will continue to be present in the future.

The opportunity for solitude or a primitive and unconfined type of recreation is generally lacking throughout the NRA due to the large numbers of visitors, small size, and modifications and developments within or adjacent to the area.

Modifications of the landscape or vegetation within the NRA materially reduces the natural character of the area and primeval character is generally lacking. The possibilities for management in an unimpaired condition are remote.

There is no area of 5,000 acres or more within the NRA where the evidence of man is substantially unnoticeable. Areas of less than 5,000 acres within the NRA that are free of man's influence cannot be managed in an unimpaired condition. Outside influences, including the sights and sounds of civilization, encroach now on this long and narrow coastal strip. These influences will increase in the future.

Providing the opportunity for a high quality outdoor recreation experience for the visitor, while still maintaining the integrity of the area, is of prime concern. This will require the cooperation of both the private and public (Federal, State and County) sectors. It is to this end that the management plan for the area is being directed. Both the National Recreation Area and the surrounding vicinity already receive heavy recreation use. More visitors will come now that it has a national designation, and more may be accommodated without sacrificing the values which led to its designation as a National Recreation Area.

Public Law 92-260, which created the Oregon Dunes, provided that existing uses of private lands, including residential, industrial or commercial, sustained yield timber harvest and private non-commercial recreational uses may continue without threat of the Government exercising its right of eminent domain. Nearly 25 percent of the NRA is in private ownership.

P.L. 92-260 also provides for the continuance of water utilization from Siltcoos and Tahkenitch Lakes, as well as from the aquifer in the south end of the NRA. In addition, the U. S. Army Corps of Engineers, and the U. S. Coast Guard may continue to utilize lands they formerly administered.

Fire management is another area of major concern. Fire occurrence is high and has increased with the number of visitors. Summers are generally quite cool. Visitors build camp or warming fires on the beach in piles of driftwood and then do not put them out. A few days of drying weather and the beach grass will burn almost any time of year at a high rate of spread. A major fire on naturally stabilized dune surfaces in the transition forest could be disastrous. Beach grass will come back the next year but the transition forest and native vegetation will not. This would expose the sand to high winds, causing problems of accelerated sand movement onto U. S. Highway 101, private lands, lakes, streams and homes or other improvements.

An equal but opposite management concern is related to the sand supply of the open dunes themselves. The spread of European beach grass along the coast has caused the foredune adjacent to the beach to build up to such proportions that the sand supply moving in from the beach to replenish the dunes has been effectively blocked. As the dunes slowly move eastward, the sand on the west side is removed down to the water table. This creates an ideal seedbed for pioneer plant species. This area, known as the deflation plain, is increasing in width at such an alarming rate that it has led to scientific speculation that within 90-200 years the spectacular Oregon Dunes will no longer exist as they are known today — they will be vegetated. Special management measures to remove the foredune obstacle may be necessary at some time in the future. The use of heavy equipment might be required if studies indicate that this would be necessary.

Throughout the NRA, suitable natural wilderness boundaries that may be readily identified on the ground are lacking. The Pacific Ocean and rivers or streams do provide natural identifiable boundaries; however, good identifiable boundaries to the east are lacking, since the NRA boundaries generally follow legal subdivisions. Since the majority of developments and activities emanate from this direction, any wilderness would be highly susceptible to violations, or non-conforming uses.

An area near the eastern perimeter that is highly recognizable on the ground is the zone of confrontation between the open dunes and the vegetation line. This area is gradually moving eastward, however, so would not make suitable boundaries.

The locations of the small rivers and streams fluctuate for considerable distances north or south of their present mouths. Tenmile, Tahkenitch and Siltcoos outlets have all moved up to one mile within the past ten years.

Random boundaries across open sand would be impossible to maintain, due to the shifting sand, either burying or toppling any identification markers. Configuration of the dunes changes significantly with the seasons, so that points of reference could become easily confused or lost.

This analysis of all the lands within the Oregon Dunes National Recreation Area has determined that no portion of the area meets the requirements for wilderness as stated in the Wilderness Act, P.L. 88-577.



Public Law 88-577
88th Congress, S. 4
September 3, 1964

An Act

To establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Wilderness Act.

SHORT TITLE

SECTION 1. This Act may be cited as the "Wilderness Act".

WILDERNESS SYSTEM ESTABLISHED STATEMENT OF POLICY

SEC. 2. (a) In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas designated by Congress as "wilderness areas", and these shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness; and no Federal lands shall be designated as "wilderness areas" except as provided for in this Act or by a subsequent Act.

(b) The inclusion of an area in the National Wilderness Preservation System notwithstanding, the area shall continue to be managed by the Department and agency having jurisdiction thereof immediately before its inclusion in the National Wilderness Preservation System unless otherwise provided by Act of Congress. No appropriation shall be available for the payment of expenses or salaries for the administration of the National Wilderness Preservation System as a separate unit nor shall any appropriations be available for additional personnel stated as being required solely for the purpose of managing or administering areas solely because they are included within the National Wilderness Preservation System.

78 STAT. 890.

78 STAT. 891.

DEFINITION OF WILDERNESS

(c) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geo-



logical, or other features of scientific, educational, scenic, or historical value.

NATIONAL WILDERNESS PRESERVATION SYSTEM—EXTENT OF SYSTEM

SEC. 3. (a) All areas within the national forests classified at least 30 days before the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "wilderness", "wild", or "canoe" are hereby designated as wilderness areas. The Secretary of Agriculture shall—

(1) Within one year after the effective date of this Act, file a map and legal description of each wilderness area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: *Provided, however*, That correction of clerical and typographical errors in such legal descriptions and maps may be made.

(2) Maintain, available to the public, records pertaining to said wilderness areas, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding pending additions, eliminations, or modifications. Maps, legal descriptions, and regulations pertaining to wilderness areas within their respective jurisdictions also shall be available to the public in the offices of regional foresters, national forest supervisors, and forest rangers.

(b) The Secretary of Agriculture shall, within ten years after the enactment of this Act, review, as to its suitability or unsuitability for preservation as wilderness, each area in the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "primitive" and report his findings to the President. The President shall advise the United States Senate and House of Representatives of his recommendations with respect to the designation as "wilderness" or other reclassification of each area on which review has been completed, together with maps and a definition of boundaries. Such advice shall be given with respect to not less than one-third of all the areas now classified as "primitive" within three years after the enactment of this Act, not less than two-thirds within seven years after the enactment of this Act, and the remaining areas within ten years after the enactment of this Act. Each recommendation of the President for designation as "wilderness" shall become effective only if so provided by an Act of Congress. Areas classified as "primitive" on the effective date of this Act shall continue to be administered under the rules and regulations affecting such areas on the effective date of this Act until Congress has determined otherwise. Any such area may be increased in size by the President at the time he submits his recommendations to the Congress by not more than five thousand acres with no more than one thousand two hundred and eighty acres of such increase in any one compact unit; if it is proposed to increase the size of any such area by more than five thousand acres or by more than one thousand two hundred and eighty acres in any one compact unit the increase in size shall not become effective until acted upon by Congress. Nothing herein contained shall limit the President in proposing, as part of his recommendations to Congress, the alteration of existing boundaries of primitive areas or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value. Notwithstanding any other provisions of this Act, the Secretary of Agriculture may complete his review and delete such area as may be necessary, but not to exceed seven thousand acres, from the southern tip of the Gore Range-Eagles Nest Primitive Area,

Classification.

Presidential recommendation to Congress.

Congressional approval.

78 STAT. 891.
78 STAT. 892.

Colorado, if the Secretary determines that such action is in the public interest.

(c) Within ten years after the effective date of this Act the Secretary of the Interior shall review every roadless area of five thousand contiguous acres or more in the national parks, monuments and other units of the national park system and every such area of, and every roadless island within, the national wildlife refuges and game ranges, under his jurisdiction on the effective date of this Act and shall report to the President his recommendation as to the suitability or unsuitability of each such area or island for preservation as wilderness. The President shall advise the President of the Senate and the Speaker of the House of Representatives of his recommendation with respect to the designation as wilderness of each such area or island on which review has been completed, together with a map thereof and a definition of its boundaries. Such advice shall be given with respect to not less than one-third of the areas and islands to be reviewed under this subsection within three years after enactment of this Act, not less than two-thirds within seven years of enactment of this Act, and the remainder within ten years of enactment of this Act. A recommendation of the President for designation as wilderness shall become effective only if so provided by an Act of Congress. Nothing contained herein shall, by implication or otherwise, be construed to lessen the present statutory authority of the Secretary of the Interior with respect to the maintenance of roadless areas within units of the national park system.

(d)(1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to submitting any recommendations to the President with respect to the suitability of any area for preservation as wilderness—

(A) give such public notice of the proposed action as they deem appropriate, including publication in the Federal Register and in a newspaper having general circulation in the area or areas in the vicinity of the affected land;

(B) hold a public hearing or hearings at a location or locations convenient to the area affected. The hearings shall be announced through such means as the respective Secretaries involved deem appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: *Provided*, That if the lands involved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

(C) at least thirty days before the date of a hearing advise the Governor of each State and the governing board of each county, or in Alaska the borough, in which the lands are located, and Federal departments and agencies concerned, and invite such officials and Federal agencies to submit their views on the proposed action at the hearing or by no later than thirty days following the date of the hearing.

(2) Any views submitted to the appropriate Secretary under the provisions of (1) of this subsection with respect to any area shall be included with any recommendations to the President and to Congress with respect to such area.

(e) Any modification or adjustment of boundaries of any wilderness area shall be recommended by the appropriate Secretary after public notice of such proposal and public hearing or hearings as provided in subsection (d) of this section. The proposed modification or adjustment shall then be recommended with map and description thereof to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to such modification or adjustment and such recom-

Report to President.

Presidential recommendation to Congress.

Congressional approval.

Suitability.

Publication in Federal Register.

Hearings.

Publication in Federal Register.

78 STAT. 892.

78 STAT. 893.

Proposed modification.

mentations shall become effective only in the same manner as provided for in subsections (b) and (c) of this section.

USE OF WILDERNESS AREAS

SEC. 4. (a) The purposes of this Act are hereby declared to be within and supplemental to the purposes for which national forests and units of the national park and national wildlife refuge systems are established and administered and—

(1) Nothing in this Act shall be deemed to be in interference with the purpose for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11), and the Multiple-Use Sustained-Yield Act of June 12, 1960 (74 Stat. 215).

(2) Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act (Public Law 539, Seventy-first Congress, July 10, 1930; 46 Stat. 1020), the Thyre-Blatnik Act (Public Law 733, Eightieth Congress, June 22, 1948; 62 Stat. 568), and the Humphrey-Thyre-Blatnik-Andersen Act (Public Law 607, Eighty-fourth Congress, June 22, 1956; 70 Stat. 326), as applying to the Superior National Forest or the regulations of the Secretary of Agriculture.

(3) Nothing in this Act shall modify the statutory authority under which units of the national park system are created. Further, the designation of any area of any park, monument, or other unit of the national park system as a wilderness area pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such park, monument, or other unit of the national park system in accordance with the Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including, but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 et seq.); section 3(2) of the Federal Power Act (16 U.S.C. 796(2)); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

(b) Except as otherwise provided in this Act, each agency administering any area designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character. Except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.

PROHIBITION OF CERTAIN USES

(c) Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.

SPECIAL PROVISIONS

(d) The following special provisions are hereby made:

(1) Within wilderness areas designated by this Act the use of aircraft or motorboats, where these uses have already become established, may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable. In addition, such measures may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the Secretary deems desirable.

(2) Nothing in this Act shall prevent within national forest wilderness areas any activity, including prospecting, for the purpose of gathering information about mineral or other resources, if such activity is carried on in a manner compatible with the preservation of the wilderness environment. Furthermore, in accordance with such program as the Secretary of the Interior shall develop and conduct in consultation with the Secretary of Agriculture, such areas shall be surveyed on a planned, recurring basis consistent with the concept of wilderness preservation by the Geological Survey and the Bureau of Mines to determine the mineral values, if any, that may be present; and the results of such surveys shall be made available to the public and submitted to the President and Congress.

(3) Notwithstanding any other provisions of this Act, until midnight December 31, 1983, the United States mining laws and all laws pertaining to mineral leasing shall, to the same extent as applicable prior to the effective date of this Act, extend to those national forest lands designated by this Act as "wilderness areas"; subject, however, to such reasonable regulations governing ingress and egress as may be prescribed by the Secretary of Agriculture consistent with the use of the land for mineral location and development and exploration, drilling, and production, and use of land for transmission lines, waterlines, telephone lines, or facilities necessary in exploring, drilling, producing, mining, and processing operations, including where essential the use of mechanized ground or air equipment and restoration as near as practicable of the surface of the land disturbed in performing prospecting, location, and, in oil and gas leasing, discovery work, exploration, drilling, and production, as soon as they have served their purpose. Mining locations lying within the boundaries of said wilderness areas shall be held and used solely for mining or processing operations and uses reasonably incident thereto; and hereafter, subject to valid existing rights, all patents issued under the mining laws of the United States affecting national forest lands designated by this Act as wilderness areas shall convey title to the mineral deposits within the claim, together with the right to cut and use so much of the mature timber therefrom as may be needed in the extraction, removal, and beneficiation of the mineral deposits, if needed timber is not otherwise reasonably available, and if the timber is cut under sound principles of forest management as defined by the national forest rules and regulations, but each such patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except as otherwise expressly provided in this Act: *Provided*, That, unless hereafter specifically authorized, no patent within wilderness areas designated by this Act shall issue after December 31, 1983, except for the valid claims existing on or before December 31, 1983. Mining claims located after the effective date of this Act within the boundaries of wilderness areas designated by this Act shall create no rights in excess of those rights which may be patented under the

Mineral leases, claims, etc.

78 STAT. 894.
78 STAT. 895.

provisions of this subsection. Mineral leases, permits, and licenses covering lands within national forest wilderness areas designated by this Act shall contain such reasonable stipulations as may be prescribed by the Secretary of Agriculture for the protection of the wilderness character of the land consistent with the use of the land for the purposes for which they are leased, permitted, or licensed. Subject to valid rights then existing, effective January 1, 1984, the minerals in lands designated by this Act as wilderness areas are withdrawn from all forms of appropriation under the mining laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

Water resources.

(4) Within wilderness areas in the national forests designated by this Act, (1) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting for water resources, the establishment and maintenance of reservoirs, water-conservation works, power projects, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (2) the grazing of livestock, where established prior to the effective date of this Act, shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary of Agriculture.

(5) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou Roadless Areas, in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided*, That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats.

(6) Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.

(7) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(8) Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests.

STATE AND PRIVATE LANDS WITHIN WILDERNESS AREAS

SEC. 5. (a) In any case where State-owned or privately owned land is completely surrounded by national forest lands within areas designated by this Act as wilderness, such State or private owner shall be given such rights as may be necessary to assure adequate access to such State-owned or privately owned land by such State or private owner and their successors in interest, or the State-owned land or privately owned land shall be exchanged for federally owned land in the same State of approximately equal value under authorities available to the Secretary of Agriculture: *Provided, however*, That the United States shall not transfer to a State or private owner any mineral interests unless the State or private owner relinquishes or

Transfers, restriction.

causes to be relinquished to the United States the mineral interest in the surrounded land.

(b) In any case where valid mining claims or other valid occupancies are wholly within a designated national forest wilderness area, the Secretary of Agriculture shall, by reasonable regulations consistent with the preservation of the area as wilderness, permit ingress and egress to such surrounded areas by means which have been or are being customarily enjoyed with respect to other such areas similarly situated.

(c) Subject to the appropriation of funds by Congress, the Secretary of Agriculture is authorized to acquire privately owned land within the perimeter of any area designated by this Act as wilderness if (1) the owner concurs in such acquisition or (2) the acquisition is specifically authorized by Congress.

Acquisition.

GIFTS, BEQUESTS, AND CONTRIBUTIONS

SEC. 6. (a) The Secretary of Agriculture may accept gifts or bequests of land within wilderness areas designated by this Act for preservation as wilderness. The Secretary of Agriculture may also accept gifts or bequests of land adjacent to wilderness areas designated by this Act for preservation as wilderness if he has given sixty days advance notice thereof to the President of the Senate and the Speaker of the House of Representatives. Land accepted by the Secretary of Agriculture under this section shall become part of the wilderness area involved. Regulations with regard to any such land may be in accordance with such agreements, consistent with the policy of this Act, as are made at the time of such gift, or such conditions, consistent with such policy, as may be included in, and accepted with, such bequest.

(b) The Secretary of Agriculture or the Secretary of the Interior is authorized to accept private contributions and gifts to be used to further the purposes of this Act.

ANNUAL REPORTS

SEC. 7. At the opening of each session of Congress, the Secretaries of Agriculture and Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and descriptions of the areas in the system, regulations in effect, and other pertinent information, together with any recommendations they may care to make.

Approved September 3, 1964.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 1538 accompanying H. R. 9070 (Comm. on Interior & Insular Affairs) and No. 1829 (Comm. of Conference).

SENATE REPORT No. 109 (Comm. on Interior & Insular Affairs).

CONGRESSIONAL RECORD:

Vol. 109 (1963): Apr. 4, 8, considered in Senate.

Apr. 9, considered and passed Senate.

Vol. 110 (1964): July 28, considered in House.

July 30, considered and passed House, amended, in lieu of H. R. 9070.

Aug. 20, House and Senate agreed to conference report.



An Act

To establish the Oregon Dunes National Recreation Area in the State of Oregon, and for other purposes.

Oregon Dunes
National Recreation
Area,
Establishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to provide for the public outdoor recreation use and enjoyment of certain ocean shorelines and dunes, forested areas, fresh water lakes, and recreational facilities in the State of Oregon by present and future generations and the conservation of scenic, scientific, historic, and other values contributing to public enjoyment of such lands and waters, there is hereby established, subject to valid existing rights, the Oregon Dunes National Recreation Area (hereinafter referred to as the "recreation area").

Administration.

SEC. 2. The administration, protection, and development of the recreation area shall be by the Secretary of Agriculture (hereinafter called the "Secretary") in accordance with the laws, rules, and regulations applicable to national forests, in such manner as in his judgment will best contribute the attainment of the purposes set forth in section 1 of this Act.

"Inland Sector."

SEC. 3. The portion of the recreation area delineated as the "Inland Sector" on the map referenced in section 4 of this Act is hereby established as an inland buffer sector in order to promote such management and use of the lands, waters, and other properties within such sector as will best protect the values which contribute to the purposes set forth in section 1 of this Act.

Map.

SEC. 4. The boundaries of the recreation area, as well as the boundaries of the inland sector included therein, shall be as shown on a map entitled "Proposed Oregon Dunes National Recreation Area" dated May 1971, which is on file and available for public inspection in the Office of the Chief, Forest Service, Department of Agriculture, and to which is attached and hereby made a part thereof a detailed description by metes and bounds of the exterior boundaries of the recreation area and of the inland sector. The Secretary may by publication of a revised map or description in the Federal Register correct clerical or typographical errors in said map or descriptions.

Revision,
Publication in
Federal Register.
Transfer of
Federal property.

SEC. 5. Notwithstanding any other provision of law, any Federal property located within the boundaries of the recreation area is hereby transferred without consideration to the administrative jurisdiction of the Secretary for use by him in implementing the purposes of this Act, but lands presently administered by the United States Coast Guard or the United States Corps of Engineers may continue to be used by such agencies to the extent required.

86 STAT. 99
86 STAT. 100

Siuslaw National
Forest, boundary
extension.

SEC. 6. The boundaries of the Siuslaw National Forest are hereby extended to include all of the lands not at present within such boundaries lying within the recreation area as described in accordance with section 4 of this Act.

Land acquisition.

SEC. 7. Within the inland sector established by section 3 of this Act the Secretary may acquire the following classes of property only with the consent of the owner:

- (a) improved property as hereinafter defined;
- (b) property used for commercial or industrial purposes if such commercial or industrial purposes are the same such purposes for which the property was being used on December 31, 1970, or such commercial or industrial purposes have been certified by the Secretary or his designee as compatible with or furthering the purposes of this Act;

(c) timberlands under sustained yield management so long as the Secretary determines that such management is being conducted in accordance with standards for timber production, including but not limited to harvesting reforestation, and debris cleanup, not less stringent than management standards imposed by the Secretary on comparable national forest lands: *Provided*, That the Secretary may acquire such lands or interests therein without the consent of the owner if he determines that such lands or interests are essential for recreation use or for access to or protection of recreation developments within the purposes of this Act. In any acquisition of such lands or interests the Secretary shall, to the extent practicable, minimize the impact of such acquisition on access to or the reasonable economic use for sustained yield forestry of adjoining lands not acquired; and

(d) property used on December 31, 1970, primarily for private, noncommercial recreational purposes if any improvements made to such property after said date are certified by the Secretary of Agriculture or his designee as compatible with the purposes of this Act.

SEC. 8. (a) Within the boundaries of the recreation area lands, waters, and interests therein owned by or under the control of the State of Oregon or any political subdivision thereof may be acquired only by donation or exchange.

(b) No part of the Southern Pacific Railway right-of-way within the boundaries of the recreation area may be acquired without the consent of the railway, so long as it is used for railway purposes: *Provided*, That the Secretary may condemn such easements across said right-of-way as he deems necessary for ingress and egress.

Southern Pacific
Railway right-
of-way.

(c) Any person owning an improved property, as hereafter defined, within the recreation area may reserve for himself and his assigns, as a condition of the acquisition of such property, a right of use and occupancy of the residence and not in excess of three acres of land on which such residence is situated. Such reservation shall be for a term ending at the death of the owner, or the death of his spouse, whichever occurs later, or, in lieu thereof, for a definite term not to exceed twenty-five years: *Provided*, That, the Secretary may exclude from such reserved property any lands or waters which he deems necessary for public use, access, or development. The owner shall elect, at the time of conveyance, the term of the right to be reserved. Where any such owner retains a right of use and occupancy as herein provided, such right may during its existence be conveyed or leased in whole, but not in part, for noncommercial residential purposes. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner. At any time subsequent to the acquisition of such property the Secretary may, with the consent of the owner of the retained right of use and occupancy, acquire such right, in which event he shall pay to such owner the fair market value of the remaining portion of such right.

Owners of improved
property, reten-
sion rights.

Exclusion.

86 STAT. 100
86 STAT. 101

(d) The term "improved property" wherever used in this Act shall mean a detached one-family dwelling the construction of which was begun before December 31, 1970, together with any structures accessory to it and the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary finds necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use.

"Improved
property."

SEC. 9. The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the boundaries of the

Hunting, fishing,
and trapping.

recreation area in accordance with applicable laws of the United States and the State of Oregon, except that the Secretary may designate zones where, and establish periods when, no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, or public use and enjoyment. Except in emergencies, any regulation of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State fish and game department.

SEC. 10. The lands within the recreation area, subject to valid existing rights, are hereby withdrawn from location, entry, and patent under the United States mining laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

SEC. 11. (a) The Secretary is authorized and directed, subject to applicable water quality standards now or hereafter established, to permit, subject to reasonable rules and regulations, the investigation for, appropriation, storage, and withdrawal of ground water, surface water, and lake, stream, and river water from the recreation area and the conveyance thereof outside the boundaries of the recreation area for beneficial use in accordance with applicable laws of the United States and of the State of Oregon if permission therefor has been obtained from the State of Oregon before the effective date of this Act: *Provided*, That nothing herein shall prohibit or authorize the prohibition of the use of water from Tahkenitch or Silteco Lakes in accordance with permission granted by the State of Oregon prior to the effective date hereof in connection with certain industrial plants developed or being developed at or near Gardiner, Oregon.

(b) The Secretary is authorized and directed, subject to applicable water quality standards now or hereafter established, to permit, subject to reasonable rules and regulations, transportation and storage in pipelines within and through the recreation area of domestic and industrial wastes in accordance with applicable laws of the United States and of the State of Oregon if permission therefor has been obtained from the State of Oregon before the effective date of this Act.

(c) The Secretary is further authorized, subject to applicable water quality standards now or hereafter established, to grant such additional easements and rights, in terms up to perpetuity, as in his judgment would be appropriate and desirable for the effective use of the rights to water and the disposal of waste provided for herein and for other utility and private purposes if permission therefor has been obtained from the State of Oregon, subject to such reasonable terms and conditions as he deems necessary for the protection of the scenic, scientific, historic, and recreational features of the recreation area.

SEC. 12. (a) The Secretary shall establish an advisory council for the Oregon Dunes National Recreation Area, and shall consult on a periodic and regular basis with such council with respect to matters relating to management and development of the recreation area. The members of the advisory council, who shall not exceed fifteen in number, shall serve for individual staggered terms of three years each and shall be appointed by the Secretary as follows:

(i) a member to represent each county in which a portion of the recreation area is located, each such appointee to be designated by the respective governing body of the county involved;

(ii) a member appointed to represent the State of Oregon, who shall be designated by the Governor of Oregon;

(iii) not to exceed eleven members appointed by the Secretary from among persons who, individually or through association with national or local organizations, have an interest in the administration of the recreation area; and

Mining restriction.

Water utilization.

Waste disposal.

Additional easements and rights.

66 STAT. 101
86 STAT. 102

Advisory council.
Establishment.

Membership.

(iv) the Secretary shall designate one member to be Chairman and shall fill vacancies in the same manner as the original appointment.

(b) The Secretary shall, in addition to his consultation with the advisory council, seek the views of other private groups and individuals with respect to administration of the recreation area.

(c) The members shall not receive any compensation for their services as members of the council, as such, but the Secretary is authorized to pay expenses reasonably incurred by the council in carrying out its responsibilities.

SEC. 13. Within three years from the date of enactment of this Act, the Secretary shall review the area within the boundaries of the recreation area and shall report to the President, in accordance with subsections 3(b) and 3(d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(b) and (d)), his recommendation as to the suitability or nonsuitability of any area within the recreation area for preservation as a wilderness, and any designation of any such area as a wilderness shall be accomplished in accordance with said subsection of the Wilderness Act.

SEC. 14. The Secretary shall cooperate with the State of Oregon or any political subdivision thereof in the administration of the recreation area and in the administration and protection of lands within or adjacent to the recreation area owned or controlled by the State or political subdivision thereof. Nothing in this Act shall deprive the State of Oregon or any political subdivision thereof of its right to exercise civil and criminal jurisdiction within the recreation area consistent with the provisions of this Act, or of its right to tax persons, corporations, franchises, or other non-Federal property, including mineral or other interests, in or on lands or waters within the recreation area.

SEC. 15. Money appropriated from the Land and Water Conservation Fund shall be available for the acquisition of lands, waters, and interests therein within the recreation area, but not more than \$2,500,000 is authorized to be appropriated for such purposes. For development of the recreation area, not more than \$12,700,000 is authorized to be appropriated.

Approved March 23, 1972.

Area review;
report to
President.

Federal-State
cooperation.

Appropriation.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 92-894 accompanying H.R. 8763 (Comm. on Interior and Insular Affairs).

SENATE REPORT No. 92-422 (Comm. on Interior and Insular Affairs).

CONGRESSIONAL RECORD:

Vol. 117 (1971): Nov. 4, considered and passed Senate.

Vol. 118 (1972): Mar. 8, considered and passed House, amended, in lieu of H.R. 8763.

Mar. 14, Senate concurred in House amendment.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 8, No. 13:

Mar. 24, Presidential statement.

**COASTAL ZONE
INFORMATION CENTER**

